

REMARKS/ARGUMENTS

Claims 1, 2, 7, 8, 10-14, 17, and 18 were pending in the present application. The present response amends claims 1, 7, 8, 11-12, 14, 17, and 18 (including those changes made in the response of March 29, 2004 that were not entered by the Examiner), leaving pending in the application claims 1, 2, 7, 8, 10-14, 17, and 18. The remarks and arguments presented in this response should be considered in conjunction with those presented in the response of March 29, 2004. In accordance with the accompanying Request for Continued Examination, entry and consideration of the claims as further amended is respectfully requested.

I. Rejection due to raising of new issues requiring further consideration and/or search

The amendments of the response filed March 29, 2004 are not entered as allegedly raising new issues requiring further consideration and/or search. Particularly, the Advisory Action states that it is not understood how “all radiation which is incident on the filter is transmitted through the dielectric stack, while at the same time the wavelengths outside the predetermined resonant band are reflected from the dielectric” (AA continuation sheet). The claims have been further amended where appropriate to clarify that incident radiation of wavelengths inside a predetermined resonant wavelength band is substantially transmitted through the dielectric stack and the spacer layer to the metal layer, and incident radiation of wavelengths outside the predetermined resonant wavelength band is substantially reflected from said dielectric stack.

Further, the Advisory Action states that “there is no structural support as to what is reflecting the outside wavelengths from the dielectric stack” (AA continuation sheet). Although Applicants do not necessarily agree with the rejection (as the claims recite limitations such as layers of alternating refractive index of a thickness whereby incident radiation of wavelengths outside the predetermined resonant wavelength band is substantially reflected), the claims have been further amended where appropriate in order to expedite issuance of the pending claims. For example, claim 1 has been further amended to require that “incident radiation of wavelengths outside the predetermined resonant wavelength band is substantially reflected from interfaces between said relatively high and low refractive index layers of said dielectric stack.”

In accordance with the accompanying Request for Continued Examination, entry and consideration of the claims as further amended is respectfully requested.

II. Rejection for failing to place in condition for allowance

The amendments of the response filed March 29, 2004 are not entered as allegedly failing to place the application in condition for allowance. Particularly, the Advisory Action states that the limitation of "absorbing all/most visible light" is not stated in the claims (AA continuation sheet). The claims have been further amended where appropriate to clarify that none of the incident radiation is transmitted through the metal layer. In accordance with the accompanying Request for Continued Examination, entry and consideration of the claims as further amended is respectfully requested.

III. Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter to the specification.

IV. RCE and Previous Response

The amendments of the response filed March 29, 2004 have not been entered, as indicated by the Advisory Action dated April 22, 2004. A Request for Continued Examination has been filed along with this response in order for the further amended claims included herein, as well as the comments included both in this response and the response of March 29, 2004, to be entered and considered. Applicants therefore respectfully request entry and consideration of the claims as amended herein, in light of the comments and arguments included in this response as well as the response of March 29, 2004.

V. Conclusion

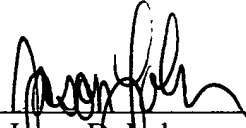
In view of the above, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the pending claims and a notice of allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-1703, under Order No. COHP-4570. **A duplicate copy of the transmittal cover sheet attached to this Response to Advisory Action Mailed April 22, 2004, is provided herewith.**

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: May 10, 2004

By:  _____

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